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Attorney for Plaintiff DAVID J. LEE

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DAVID J. LEE, an individual and, on
behalf of others similarly situated,

Plaintiff,

vs.

CAPITAL ONE BANK and CAPITAL
ONE SERVICES, INC., Virginia
corporations, DOES 1 through 100,
inclusive,

Defendants.

) Case No.: C-07-4599 - MHP

)
) PLAINTIFF'S NOTICE OF
) ADMINISTRATIVE MOTION AND
) MOTION FOR ENLARGEMENT OF
) PAGE LIMITS FOR BRIEFING OF
) PLAINTIFF'S OPPOSITION TO
) DEFENDANTS' MOTION TO DISMISS

) [Local Rule 7-11]

) [MEMORANDUM OF POINTS &
) AUTHORITIES, DECLARATION OF
) MATTHEW S. HALE; AND PROPOSED
) ORDER, FILED CONCURRENTLY]

1 TO DEFENDANTS CAPITAL ONE BANK and CAPITAL ONE SERVICES, INC.
2 AND THEIR ATTORNEYS OF RECORD:

3 PLEASE TAKE NOTICE that Plaintiff will and does hereby submits this Motion
4 requesting that the Court grant leave for Plaintiff to file his Opposition to the Defendants'
5 Motion to Dismiss in excess of the twenty-five (25) page limit by six (6) pages.

6 Pursuant to Local Rule 7-11, this Administrative Motion is made on the grounds that
7 Defendants' Motion to Dismiss involves numerous complex legal issues that necessitate the
8 Reply to exceed the twenty-five (25) page limit. The Court and the parties would be best served
9 by allowing the Plaintiff to file his Opposition six (6) pages in excess of the relevant page limit,
10 so that all the legal issues may be adequately addressed.

11 Prior to the filing of this Motion, Plaintiff's counsel sought out the consent of the
12 Defendants' counsel to exceed, by six (6) pages, the relevant page limit in connection with the
13 filing of his client's Opposition to the Defendants' Motion to Dismiss. In response, Defense
14 counsel advised the Plaintiff's attorney, by e-mail, that the Defendants would not oppose the
15 Plaintiff's request for extra pages. (See Declaration of Matthew S. Hale, ¶¶ 4 & 5, Exhibits 1 &
16 2.)
17

18 This Motion is based upon this Notice and Motion, the attached Memorandum of Points
19 & Authorities, the Declaration of Matthew S. Hale, and the pleadings, records, and files in this
20 action, and any such additional evidence and argument as the Court may consider.

21 Dated: January 24, 2008

Respectfully submitted,

22
23 By: 

24 Matthew S. Hale, Esq.
25 Counsel for Plaintiff,
David J. Lee